

ASSIGNED**54731**

Serial No. _____

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

MAY 9 1990

Date of filing in State Engineer's Office _____

Returned to applicant for correction _____

Corrected application filed _____

Map filed _____

MAY 16 1990

under 54729

The applicant AQUEDUCT I LTD.P.O. Box 2790

of

Reno

Street and No. or P.O. Box No.

City or Town

Nevada 89505

State and Zip Code No.

hereby make S. application for permission to change thePoint of Diversion, Place of Use and Manner of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Claim #528, of the Final Decree, Titled The United

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

States of America Plaintiff vs. Alpine Land & Reservoir Company, a corporation

Identify right in Decree.

Etal, Defendants Civil No. D-183BRT

1. The source of water is West fork of the Carson river
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed As decreed (162.45 ACRE FEET)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Please refer to EXHIBIT "A"
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within Panning, Jarvis or Jarvis #2 as shown on
If point of diversion is not changed, do not answer.
the Carson River Decree & Maps. Located within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, T.11N. R.20E.,
M.D.B.&M.
7. Proposed place of use Mud lake located within portions of W $\frac{1}{2}$ Section 3; E $\frac{1}{2}$ Section 4;
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
NE $\frac{1}{4}$ Section 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 T.11N. R.20 E. Please refer to the Carson
River Decree Maps
8. Existing place of use See EXHIBIT "B" and please refer to the Carson River Decree Map
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from As Decreed to As Decreed of each year.
Month and Day Headgate Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Headgate located in the Carson River known as
Showshoe Thompson #2, Indian Creek, inlet to State manner in which water is to be diverted, i.e. diversion structure,
Mud Lake, gauging station and Reservoir facility; as provided under claim 463.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works Completed under Carson River Decree
13. Estimated time required to construct works Completed under Carson River Decree

14. Estimated time required to complete the application of water to beneficial use..... 5 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant intends to place the full duty of the decreed water into storage at Mud Lake in the amount of 4632.3 Acre feet. Both the Millich and Showshoe Thompson ditches will be used to divert the necessary flows throughout the year to satisfy the decreed duty.

/s/Jack D. Ferris

By THIEL, WINCHELL & ASSOCIATES

34 Lakes Blvd., Suite 101

Dayton, Nevada 89403

Compared bp/jm jr/bk

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner and place of use of Claim No. 528 of the Carson River as heretofore granted under the Final Carson River Decree No. D-183, in the District Court of the United States in and for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said Final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The total combined duty of water under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737, 54738 and the Permittee's portions of Claim No's. 463, 814 and 814A shall not exceed 1894.75 acre feet annually.

On April 1st of each year, the permittee shall report to the State Engineer and the Federal Water Master, the quantity of water stored in the Mud Lake Reservoir, under his portions of Claim No's. 463, 814 and 814A, during the just concluded non-irrigation season. This quantity of water, up to a maximum of 1057.33 acre feet, shall be subtracted from 1894.75 acre feet, the total quantity of water approved under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738. The remainder is the quantity of water allowed to be diverted under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738 this season, measured near the point of diversion from the West Fork of the Carson River. 40% of this quantity may be diverted in April, 40% in May, and the remaining 20% will be diverted as regulated, in June.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 90.25 acre-feet per season ~~cubic feet per second~~ as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before September 12, 1996

Proof of completion of work shall be filed before October 12, 1996

Application of water to beneficial use shall be made on or before N/A

Proof of the application of water to beneficial use shall be filed on or before N/A

Map in support of proof of beneficial use shall be filed on or before N/A

OCT 22 1996

Completion of work filed

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed

office, this 12th day of September

Cultural map filed

A.D. 19 95

Certificate No. Issued

Abrogated By 60642 301 AC WEN 5/3/04

[Signature]
State Engineer

EXHIBIT A

Millich ditch - NW1/4 SE1/4, Section 34, T.11 N., R.19 E., M.D.B.&M. or at a point from which the SE corner of Section 35 T.11 N., R.19 E., M.D.B.&M. bears S. 76° 45' 39" E. A distance of 7039 feet.

or from Alternate diversion:

Snowshoe Thompson #2 - NE1/4 NW1/4, Section 35, T.11 N., R.19 E., M.D.B.&M. or at a point from which the SE corner of said Section 35, bears S. 42° 47' 16" E. A distance of 5586.77 feet.

EXHIBIT "B"

<u>CLAIM #</u>	<u>DITCH</u>	<u>ACRES</u>	<u>QTR/QTR</u>	<u>SECTION</u>	<u>TWP. R.</u> M.D.B.&M.
	PANNING,	12.3	NWSW	17	11N 20E
	JARVIS	23.8	SWNW	17	11N 20E
	OR JAVRIS #2				
	FROM N. BANK				

TOTAL TO BE REMOVED FROM IRRIGATION:

528

36.1

